
By: **Delegates Lee, Anderson, Barkley, Bobo, Carter, Dumais, Frush,
Goldwater, Gutierrez, Heller, Howard, King, Madaleno, Mandel, Menes,
Montgomery, Nathan-Pulliam, Pendergrass, Petzold, Quinter, Shank,
Shewell, Simmons, Smigiel, Stern, and Taylor**

Introduced and read first time: February 9, 2005

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2005

CHAPTER _____

1 AN ACT concerning

2

Identity Fraud - Police Report

3 FOR the purpose of authorizing a certain person to contact a certain local law
4 enforcement agency under certain circumstances; requiring a certain local law
5 enforcement agency to prepare and file a report of alleged identity fraud and
6 provide a copy of the report to the victim under certain circumstances; providing
7 that a certain local law enforcement agency may subsequently refer the matter
8 to a certain other law enforcement agency; providing that a certain report is not
9 required to be counted as an open case for certain purposes; prohibiting a
10 certain interpretation of this Act; and generally relating to police reports of
11 identity fraud.

12 BY adding to

13 Article - Criminal Law

14 Section 8-304

15 Annotated Code of Maryland

16 (2002 Volume and 2004 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

18 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Criminal Law

2 8-304.

3 (A) A PERSON WHO KNOWS OR REASONABLY SUSPECTS THAT THE PERSON IS
4 A VICTIM OF IDENTITY FRAUD, AS PROHIBITED UNDER THIS SUBTITLE, MAY
5 CONTACT A LOCAL LAW ENFORCEMENT AGENCY THAT HAS JURISDICTION OVER:

6 (1) ANY PART OF THE COUNTY IN WHICH THE PERSON LIVES; OR

7 (2) ANY PART OF THE COUNTY IN WHICH THE CRIME OCCURRED.

8 (B) AFTER BEING CONTACTED BY A PERSON IN ACCORDANCE WITH
9 SUBSECTION (A) OF THIS SECTION, A LOCAL LAW ENFORCEMENT AGENCY SHALL
10 PROMPTLY:

11 (1) PREPARE AND FILE A REPORT OF THE ALLEGED IDENTITY FRAUD;
12 AND

13 (2) PROVIDE A COPY OF THE REPORT TO THE VICTIM.

14 (C) THE LOCAL LAW ENFORCEMENT AGENCY CONTACTED BY THE VICTIM
15 MAY SUBSEQUENTLY REFER THE MATTER TO A LAW ENFORCEMENT AGENCY WITH
16 PROPER JURISDICTION.

17 (D) A REPORT FILED UNDER THIS SECTION IS NOT REQUIRED TO BE COUNTED
18 AS AN OPEN CASE FOR PURPOSES INCLUDING COMPILING OPEN CASE STATISTICS.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
20 interpreted to interfere with the ability of law enforcement to allocate resources for
21 the investigation of crimes.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2005.